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ber of applications for houses and lots in the city.
I have some very valuable houses and lots in Pat-
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also some of the best improved farms in Montgomery
county, for sale on reasonable terms. Also a
large house in the city.
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the Hotel would very cheerfully, and in the public
interest, be ready to receive the public, and in his intention
to leave nothing on one that will add to the comfort
of his guests. The patronage of the public is respec-
tfully solicited.
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been altered and improved for the convenience
of the traveling public. The patronage will be
solicited to make the Phillips House, as heretofore, in
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Choice Liquors and Wines always on hand.
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Cloths,
Shawls,
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AND
FANCY SILKS.

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of a grocery trade. Having a country returned to our
new rooms, we have increased our stock, and
are prepared to fill all orders promptly.
We respectfully call the attention of city and coun-
try dealers to our new stock of groceries, satisfied
that we can give them as good bargains as they can
obtain at any other house in the city.
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WHOLESALE GROCERS,
ARE NOW OPENING A LARGE AND GENERAL
assortment of ALL kinds of Groceries suitable
for the country trade. Dealers are respectfully
invited to give them a call.

FRESH GROCERIES!
EVERY FAMILY DESIRES GOOD FRESH GRO-
ceries, and we would remind all persons inter-
ested to give us a call.
CANNED FRUITS
Western Peaches, Plums, Strawberries, Quinces,
Tomatoes, Blackberries, and Cherries; then we have
Spice and Core Apples;
also an assortment of Jellies, Middlebrook Beans; and
Shoulders, Lamb and Cold Cuts, Sausages and Cuts,
Pickles, Spices, Fancy Soaps, &c.; in fact everything
that the market affords that is desirable. To Toilet
Cases we would say we keep the best article of Fin.
Quills that can be had. Come one, come all, and see
what we can do.
MINTIER & BAIRD,
de la Salle, 3 doors below Market

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RHUBARB WINE PLANTS,
For \$15, and \$20 per Hundred.
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Office hours from 8 to 12 A. M., and from 2 to 6 P. M.
The hour will be liberally considered.

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THE DAILY EMPIRE.
H. H. ROBINSON,
PUBLISHER AND PROPRIETOR.
Dayton, Ohio,
Thursday, - - December 14, 1865.

A Question of Interest.
It is a question—which may at some time
be deemed worthy to be examined—whether
the people of a State, whose representatives
are excluded by force from the legislative
body of the Union, are bound by the laws
passed by that legislative body; whether a
majority which, without law, shuts the
doors of Congress against the minority,
and their constituents by the statutes they
enact. In the moral aspect of the case
there is no question; and we believe there
is just as little in the legal aspect. The
major force which excludes from participa-
tion in the making of laws, may compel a
temporary and unwilling obedience to
them, and a facile or an interested judi-
ciary may sanction the proceeding; but
this will not settle the question of right,
which is beyond the reach of tribunals or
unjustices.

The reason why the representatives of
the Southern States are denied the seats to
which they were elected, is that the repre-
sentatives of the Northern States want the
whole field of legislation to themselves,
because they are afraid of the moral power
of a protesting minority, to prevent the
passage of measures in which they know
that minority will not concur. The act of
exclusion points unmistakably to the ob-
ject; and the object is so unjust in itself as
to vitiate by its injustice every thing done
in its pursuit.

The cases, as it stands, is simply the forcible
disfranchisement of the members from
a minority of the States of the Union by
the members from a majority of the States.
It is a virtual expulsion from the Federal
body of one section by another. There are,
of course, abundant excuses to give a legal
appearance to the act; but the nearest ap-
proach to success is several excuses, which
are only plausible, not valid; and which
conflict with each other. While this thing
continues, the idea that we have reinstated
the principles of the Constitution in our
Government, or even that we have restored
the Union, is palpably incorrect. We are
left under an extra-constitutional govern-
ment, of which force is practically the
organic fact; which force we are endeavor-
ing to legitimize and transform into a
principle.

It would, several years ago, have been ac-
counted a truism, to say that in a Republi-
can Government, the obligation of obedi-
ence to the law depended upon the fact of
representation in its enactment. If there
is any doctrine which may be said to be
fundamental in representative government,
it is this. If minorities in our legislative
bodies are in any case at their discretion, at
liberty to exclude minorities from partici-
pation in legislative duties, they are at lib-
erty to do so in all cases. As soon as dis-
cretion is allowed to enter in, it becomes
absolute; and when the authors of the pre-
tense for exclusion make themselves the
judges of its validity, it is a palpable abuse
of power to call the Government any longer
free or republican.—Cincinnati Enquirer.

Franks of the Cholera.
The cholera appears to be the most lawless
of all diseases. No sooner is the dis-
covery of certain facts supposed to have
established a principle or precedent than
the whole theory is dispensed by fresher
developments. Take for example, the fol-
lowing, from a Florence letter of the 15th
ult:

The recent progress of the pestilence affords
a striking refutation of the opinion
sometimes expressed that the approach of
the cold season is a guarantee of impunity
against its attacks. After a brief interval
of comparative repose during the summer
months the mysterious enemy is once more
on its deadly march, pursuing its erratic
course and gathering strength in the same
gradual but inevitable progression as has
been heretofore observed in other parts of
the country. It is worthy of note, how-
ever, that in no case does the disorder show
any tendency to re-appear in spots which
it has already visited during the course of
the year. The old haunts are entirely des-
erted.

We might reason from this that the har-
vest of death once gathered, there would be
no speedy return of the reaper; but not so.
The Levant Herald notices the reappearance
of the cholera at Alexandria and at
Trebizond, after having totally ceased.
Other places are affected in like manner.
There is no such thing as buying exemption
from cholera, or warding off its visitations,
except in the observance of a wholesome
sanitary laws.—Journal of Commerce.

Jonathan Astonishes the Brit-
ishers.
The following took place during the revo-
lutionary war. Lord Percy's regiment was
about commencing to fire at a target on
Boston Common, one day, when an awk-
ward looking country boy, who had over-
grown his jacket and trousers, came up.

"Now my boys, for a trial of your skill!"
said Percy, "I imagine the mark to be a
Yankee, and here is a gimlet for whoever
hits his heart."

"Why do you laugh, fellow?" said Lord
Percy, "crusally?"

"To think how safe the Yankees are, if
you must know," replied Jonathan.

"Why do you think you can shoot bet-
ter?"

"I don't know, I could try."

"Give him a gun, soldier, and you may
return the fellow's laugh," said Percy turn-
ing to one of his men.

Jonathan took the gun, and looking at
every part of it carefully, said:
"It won't burst, will it? Father's gun
don't shine like this, but I guess it is a
rather better gun."

"Why? Why do you guess?" asked
Percy.

"Cause I know what that's like, and I
have some doubts about this 'ere one," re-
plied Jonathan.

"But look o' here! You will call that
'ere mark a Yankee; and I won't fire at a
Yankee."

"Well, you may call it British regular,
if you please," said Percy.

"Well, regular it is then. Now for free-
dom, as father says."

Jonathan raised his gun and fired.

"There, I guess that 'ere red coat has got
a hole in it?" cried he turning to the sol-
diers.

"Why don't you laugh at me now
as that 'ere fellow said you might?"

"You awkward rascal, that was accident.
Do you think you could hit the mark
again?" inquired Percy.

"I don't know, indeed; but I can give it
a trial."

"Give him another gun, soldiers, and
take care that the clown don't shoot you.
I should not fear to stand before the mark
myself."

"I guess you'd better try it."

"Why do you think that you could hit
me?"

"I don't know, indeed, but I could try
it."

"Fire away, then."

Jonathan fired and hit the mark.

"Ha! ha! I know father would laugh to
see me shooting at half-gun shot."

"Why, you rascal, you don't think you
could hit the mark twice the present dis-
tance from you?"

"I don't know. But I am not afraid to
try."

"Give him another gun, soldiers, and
place the mark further off."

Jonathan fired again, and hit it as before.

"There, I guess that 'ere regular is as the
private that father says the judge hanged un-
til he was dead, dead—three times dead,
and that's one more than the Scripture
speaks of."

"There is a gutta," said Percy, tossing
the coin to him.

"Is it a good one?" inquired Jonathan
ringing it on the pavement.

"Good! Yes, now clear away."

"I should like to stay and see them fel-
lows kill some more Yankees."

"Begone! or I shall have to put you un-
der guard, Officer, give him a post to
Charleston, but never let him come among
our troops again."

SCIENTIFIC MUSIC.—Alex. attended church
last Thanksgiving day, where they had
scientific (quartette) singing, and was sur-
prised at the difference between scientific
singing and that he has been accustomed
to in the backwoods. He brought me a
specimen of the style, which he copied from
the original:

Well, now, my day, my day, my day,
This is the time for us to sing,
We'll sing the new law, new law, new law,
As these things are new.

Which, rendered into English, reads as fol-
lows:

Welcome, sweet day of rest,
That see the Lord's week,
Welcome to this resting hour,
And those that sing with me.

Alex. says that in the country they are
green enough to think it necessary for good
singing that the words of the hymn should
be sung. How very verdant!—Nashville
Union.

Bob Cone, a newly elected sheriff, was
told by the judge to open court. Bob went
to the door and shouted:
"I call court! I call court!"

"Call W. H. Jones and A. P. Moore,"
said the Judge.

"W. H. Jones and A. P. Moore—W. H.
Jones and A. P. Moore, yell out Bob!"

"One at a time, Mr. Sheriff," said the
Judge.

"One at a time—one at a time," cried the
Sheriff.

"Now you've fixed it."

"Needn't come, we've fixed it, screamed
the determined Sheriff.

There was not court that day.

Miscellaneous.
THOMAS & BECK,
DEALERS IN
Coal, Wood, Lime, Cement & Produce
ON CANAL, BELOW THIRD STREET,
DAYTON, OHIO.
CAMARGO
Manufacturers of
PAPER HANGINGS
—AND—
WINDOW SHADES.
H. H. BRENNAN, Proprietor.
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